



RCE/2611  
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PTO/SB/30 (09-04)

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# Request for Continued Examination (RCE) Transmittal

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|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/068,771        |
| Filing Date            | February 5, 2002  |
| First Named Inventor   | ELDERING, CHARLES |
| Art Unit               | 2611              |
| Examiner Name          | HUYNH, SON P.     |
| Attorney Docket Number | T742-10           |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☒ Other Replacement Sheets/New Sheet

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 501535. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |                            |                  |                     |
|-------------------|----------------------------|------------------|---------------------|
| Signature         | <u>Charles A. Eldering</u> | Date             | <u>Feb 18, 2005</u> |
| Name (Print/Type) | CHARLES A. ELDERING        | Registration No. | 39,180              |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

|                   |                      |      |                     |
|-------------------|----------------------|------|---------------------|
| Signature         | <u>Patti Hespell</u> | Date | <u>Feb 18, 2005</u> |
| Name (Print/Type) | PATTI HESPELL        |      |                     |

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

02/23/2005 REFKADU1 00000025 501535

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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being submitted by First Class mail to the US Patent and Trademark Office: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 or transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. (703)872-9306.

Date: 2/18/05

By: Patti Hespell  
Patti Hespell

**Mail Stop RCE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In Re: Patent Application of Charles Eldering *et al.***

Conf. No.: 7576 : Group Art Unit: 2611  
Appln. No.: 10/068,771 : Examiner: HUYNH, SON P  
Filing Date: February 5, 2002 : Att'y. Docket No.: T742-10

Title: TARGETED ADVERTISING IN ON DEMAND PROGRAMMING

**AMENDMENT ACCOMPANYING RCE REQUEST**

This paper is being filed in response to the Final Office Action dated November 18, 2004. A Request for Continued Examination ("RCE") under 37 C.F.R. §1.114 is being filed herewith. This paper is being timely filed by virtue of the accompanying Petition for Extension of Time (two-months), which extends the period available for reply to and including February 18, 2005.

Please amend the above-identified patent application, without prejudice, as follows: